

IN THE UNITED STATES DISTRICT COURT

**MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

PHOEBE U. LOVE,

Plaintiff,

VS.

FOOT LOCKER STORES, INC.,

Defendant.

Case No. 3:05-cv-766-T

NOTICE OF SUBPOENA

COMES NOW Defendant Foot Locker Stores, Inc., a division of Foot Locker Retail, Inc., and hereby notifies the Court that on November 18, 2005, a copy of a Rule 45 Subpoena Duces Tecum for the Auburn Police Department was mailed to Plaintiff's counsel.

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

/s/ Tim J. Riemann

Tim J. Riemann
10801 Mastin, Suite 1000
Overland Park, KS 66210-1671
913.451.6060 (t)
913.451.8879 (f)

-and-

William C. Martucci
2555 Grand Blvd.
Kansas City, MO 64108-2613
816.474.6550 (t)
816.421.5547 (f)

-and-

David E. Allred
David E. Allred, PC
1774 Taliaferro Trail
Post Office Box 241594
Montgomery, AL 36124-1594
334.396.9200 (t)
334.396.9977 (f)

ATTORNEYS FOR DEFENDANT FOOT
LOCKER STORES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November, 2005, I presented the foregoing to the clerk of the court for filing and uploading to the CM/ECF system which will send a notice of electronic filing to the following:

W. Don Eddins
337 E. Magnolia Ave., Suite 3
Auburn, AL 36830

Attorney for Plaintiff

/s/ Tim J. Riemann
Attorney for Foot Locker